



Docket No.: 240129US-2RD

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

ECKHARD H. KUESTERS
(703) 413-3000
EKUESTERS@OBLON.COM

SURINDER SACHAR
(703) 413-3000
SSACHAR@OBLON.COM

RE: Application Serial No.: 10/615,768

Applicants: Hideaki NAKAKITA, et al.

Filing Date: July 10, 2003

For: WIRELESS COMMUNICATION SCHEME WITH
COMMUNICATION QUALITY GUARANTEE AND
COPYRIGHT PROTECTION

Group Art Unit: 2683

Examiner: CUMMING, W.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Surinder Sachar

Registration No. 34,423

DOCKET NO: 240129US-2R



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIDEAKI NAKAKITA, ET AL. : EXAMINER: CUMMING, W.
SERIAL NO: 10/615,768 :
FILED: JULY 10, 2003 : GROUP ART UNIT: 2683
FOR: WIRELESS COMMUNICATION :
SCHEME WITH COMMUNICATION
QUALITY GUARANTEE AND
COPYRIGHT PROTECTION

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement of May 13, 2005, Applicants elect, without traverse, invention II and claims 16-32 for further examination on their merits.

Further, the communication of May 13, 2005 noted in paragraph 6 that the Oath or Declaration was defective as not being executed in accordance with 37 C.F.R. § 1.66 or 1.68. In response to that position applicants respectfully submit the submitted Declaration is in full compliance with all requirements under 37 C.F.R. § 1.68. Applicants also note the Office Action has not indicated how the Declaration is defective, and the Declaration is believed to be proper.

Further, with respect to the indication in paragraph 7 that the Information Disclosure Statements (IDSs) filed April 1, 2005, March 11, 2005, January 28, 2005, September 23, 2004, and February 22, 2004 were improper, applicants note those filed papers were Related Case Statements to draw to the U.S. PTO's attention copending applications that may be

material to patentability of the present application. Such papers were submitted in accordance with M.P.E.P. § 2001.06(b) and are believed to be proper.

The present application is believed to be in condition for a full and thorough examination on the merits. An early and favorable consideration of the present application is hereby respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870
Surinder Sachar
Registration No. 34,423
Attorneys of Record

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\SNS\24's\240129\240129US-RESPONSE.DOC